

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LIBERTY MUTUAL INSURANCE COMPANY,

Plaintiff,

vs.

COLUMBUS CONSTRUCTION CORP.,
CANAL ASPHALT, INC., and AUGUST M.
NIGRO,

Defendants.

Case No. 07-CV-2857 (CLB)

STIPULATION OF DISMISSAL WITHOUT PREJUDICE *E. Gordon*

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for all of the parties to the above-captioned action that, whereas no party to this action is an infant or incompetent person for whom a committee has been appointed, and whereas the parties are about to enter into a settlement agreement resolving all disputes between them, the claims of plaintiff against defendants are hereby discontinued without prejudice and without costs to any of the parties as against the others.

This Stipulation may be filed with the Clerk of the Court without further notice, and may be filed in counterparts.

Dated: May 1, 2008

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so entered: May 2, 2008

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